

Fiep
IN THE CRIMINAL COURT OF APPEALS

JOHN WILLIE MINNIFIELD,
PETITIONER,

VS.

ARNOLD HOLT, WARDEN ET. AL.

CR NO: 99-327

WRIT OF MANDAMUS

MOTION FOR UNTIMELY APPEAL

PRO SE

RECEIVED
10-8-04
CIRCUIT COURT CLERK

Comes now the Petitioner, John Willie Minnifield, in and on his own behalf file this Petition for the above styled cause filed a Writ of Habeas Corpus in the Montgomery County Circuit Court on the 25th day of September, 2000 thus trial judge did not rule on it until the 25th day of September, 2002 without notifying the Petitioner of the dismissal until February, 2003 or after the Petitioner seeked an timely Appeal of Order of Judge Price decision.

The Petitioner filed Writ of Mandamus in this court but this court seem to not understand or I was probably not clear for untimely Appeal thus then I resorted to the United States District Courts for justice now I pursue an untimely Appeal through this court which is clear as possible for this Appeal of my actual innocent of stalking of then wife therefore I pray and hope for this Appeal will be well respected by this court on an illegal conviction.

The Petitioner was convicted by a jury trial on the 10th day of February, 2000 for stalking of my then wife on a trumped up charge an illegal conviction before the Honorable Sally Greenhaw, Courtroom 3.C.

- Exhibit 7 10

Respectfully Submitted,

John Willie Minnifield #112145
John Willie Minnifield, Petitioner
Bullock County Correctional Facility
Post Office Box 5107
Union Springs, Alabama 36089-5107

Done this the 22nd day of September, 2004.

CERTIFICATE OF SERVICE

I certify to be placed in the United States Mail postage prepaid addressed to the Office of the Attorney General or his Assistant the Honorable J. Prude by placing same in the Bullock Correctional Legal Mail Box on this the 22nd day of September, 2004.

Hon: Charles Price 251 South Lawrence Street 4th Floor Montgomery, Alabama 36102

Hon: Helen Brooks P. O. Box 1667 Montgomery, Alabama 36102

Hon: Melissa Rittenou, Circuit Court Clerk AT 251 South Lawrence Street Montgomery, Alabama 36102

IN THE CRIMINAL COURT OF APPEALS

JOHN W. MINNIFIELD, #112145

APPELLIANT,

-VS-

STATE OF ALABAMA ET, CRIM. APP.

APPELLEE,

CC 99-327.60

CR-03-2053

MOTION FOR RECONSIDERATION

PRO SE

Comes now the Appellant, John W. Minnifield in and on his behalf file this Petition in the above styled cause in reply to the Order of this Court dated the 8th day of October, 2004 dismissing the Notice for an untimely Appeal upon consideration this Court stated reason for dismissing thus it fail to state a claim which relief can be granted.

My claim raised in the Petition for Writ of Habeas Corpus were dismissed after being in Circuit Court two years without being dismissed 5 months prior but never letting me know in time for Appeal either the Court should have entertained the Petition or denied it thus the Trial Court errored in dismissing without prejudice. The Petitioner in its Mandamus stated it claim for un timely Appeal through no fault of mines thus issues raised would entitle the Petitioner to relief.

Respectfully Submitted,

John W. Minnifield #112145
John W. Minnifield, Appellant
Bullock Correctional Facility
Post Office Box 5107
Union Springs, Alabama 36089



CERTIFICATE OF SERVICE

I hereby certify that I have served copies of the foregoing on the following through United States Mail properly addressed to the Circuit Judge, Circuit Court Clerk, and the Attorney General this the 21st day of October, 2004.

HON: CHARLES PRICE, CIRCUIT JUDGE 251 S. LAWRENCE STREET

HON: MELISSA RITTENOUR, CIRCUIT COURT CLERK 251 S. LAWRENCE STREET

HON: ELEANOR BROOKS, DISTRICT ATTORNEY P.O. BOX 1667

HON: TROY KING, ATTORNEY GENERAL 11 S. UNION STREET 3RD FLOOR MONT. AL. 36104